

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

ROBERT BAILEY,

Plaintiff,

vs.

CITY OF BELLEVUE, NEBRASKA, a  
political subdivision of the State of Nebraska,

Defendant.

**4:18CV3132**

**STIPULATED PROTECTIVE ORDER**

This matter comes before the Court on the Motion for Protective Order filed by the Sarpy County Attorney's Office. Being duly advised, the Court finds that Plaintiff Robert Bailey has issued a Subpoena Duces Tecum to the Sarpy County Sheriff's Office for records regarding, related to, or arising out of the Sarpy County Sheriff's Office's administrative investigation of Bellevue Police Chief Mark Elbert. ([Filing No. 104](#))

Sarpy County has requested that the parties enter into a Protective Order for the release of such documents and other responsive items. The parties have agreed to the following protective order terms:

1. That the responsive documents, recordings and other items requested in the Subpoena Duces Tecum issued to the Sheriff of Sarpy County shall be provided by Sarpy County to the attorney for Plaintiff Robert Bailey, who shall provide said information only to those experts and other individuals necessary for Plaintiff to proceed with discovery, pre-trial matters and trial in the above-captioned matter only, and to counsel for Defendant City of Bellevue, Nebraska, if requested, who shall provide said information only to those experts and other individuals necessary for Defendant to proceed with discovery, pre-trial matters and trial in the above-captioned matter.
2. That the attorneys for Plaintiff Robert Bailey and Defendant City of Bellevue, Nebraska shall take reasonable steps to ensure that the information received is not otherwise distributed or disclosed to other persons or parties.
3. That Plaintiff Robert Bailey and his attorney and Defendant City of Bellevue, Nebraska and its attorneys are bound by the restrictions of this Protective Order. Said information may

only be used during discovery, pre-trial matters and at trial after a specific order of the court made at the time of such offer at trial.

**IT IS SO ORDERED.**

DATED this 20<sup>th</sup> day of August 2020.

BY THE COURT:

s/ Michael D. Nelson  
U.S. District Court Judge/Magistrate

Approved as to form and content:

s/Kathleen M. Neary  
Kathleen M. Neary, NSBA #20212  
Powers Law  
Attorney for Plaintiff

s/Ryan Kunhart  
Ryan Kunhart, NSBA #24692  
Dvorak Law Group, LLC  
Attorney for Defendant

Prepared by:

s/John W. Reisz  
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Deputy Sarpy County Attorney